

UNITED STATES DISTRICT COURT  
for the  
Eastern District of California

UNITED STATES OF AMERICA,

v.

FABIAN GARCIA-PALACIO

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Case No. 1:21-cr-00119 NONE SKO

**MODIFIED ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: United States District Courthouse

*Place*

2500 Tulare Street, Fresno CA 93721

on When Ordered by the District Judge

*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance and Compliance Bond, if ordered.

**RELEASE IS DELAYED UNTIL  
JANUARY 6, 2022 AT 12:00 PM**

**GARCIA-PALACIO, Fabian**  
**Doc. No. 1:21CR00119-1**  
**MODIFIED**

### ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- ☐ (6) The defendant is placed in the custody of:

Name of person or organization

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

SIGNED: \_\_\_\_\_  
CUSTODIAN

- ☒ (7) The defendant must:
- ☒ (a) the condition of release of Location Monitoring with Curfew of 7:00 p.m. to 7:00 a.m., shall be replaced with Location Monitoring with Home Incarceration: You must remain inside your residence at all times except for medical needs or treatment; religious services; and Court appearances pre-approved by the Pretrial Services Officer;
  - ☒ (b) the condition of release to not possess any communication device other than a government issued flip-phone style cell phone, pre-approved by the Pretrial Services, which may only be used for communication with defense counsel, the Pretrial Services Agency, treatment providers, and for other purposes specifically approved by the supervising Pretrial Services Officer; shall be replaced with: You must not possess any communication devices; however, you may use your mother's cellular phone to only communicate with defense counsel, Pretrial Services Agency, and treatment providers;
  - ☒ (c) your release on bond will be delayed until Thursday, January 6, 2022, at 12:00 p.m., at which time you are to immediately report to the Pretrial Services Office in Fresno for the purpose of having the location monitoring transmitter attached to your ankle; and,
  - ☒ (d) all other conditions previously imposed not in conflict with these conditions shall remain in full force and effect.

**ADVICE OF PENALTIES AND SANCTIONS**

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of the Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

*Fabian Garcia-Palacio*  
Defendant's Signature

**Directions to the United States Marshal**

( ☐ ) The defendant is ORDERED released after processing.

Date: 1/5/2022

*Sheila K. Oberto*  
Judicial Officer's Signature

Sheila K. Oberto  
Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL